



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.21164 of 2021

S.Vijayakumar

... Petitioner

vs.

1. The Designated Engineer,
Assistant Engineer,
Operation & Maintenance,
T.Nagar East,
Chennai.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building, 1st Floor,
Raja Muthiah Road,
Kannappar Thidal,
Periyamedu,
Chennai 600 003.

... Respondents

(R2 impleaded vide order dated 21.10.2021 in W.M.P.No.23407 of 2021 in W.P.No.21164 of 2021)

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondent to issue domestic electricity connection to the Petitioner's house at No.188, Giryappa Salai, Thiyagaraya Nagar, Chennai 600 017, pursuant to the Application made by the Petitioner on 14.09.2021 vide Reference Number 200012350921214.

For Petitioner : Mr.R.Thirumoorthy

For 1st Respondent : Mr.Jai Venkatesh

For 2nd Respondent : Mr.R.Gopinath



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O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the 1st Respondents to issue domestic electricity connection to his house at No.188, Giriyappa Salai, Thiyagaraya Nagar, Chennai 600 017, pursuant to the Application made by him on 14.09.2021.

2. According to the Petitioner, he purchased the property in question from the erstwhile owner on 26.02.2020 and he is in continuous possession of the same from the date of purchase. As the electricity service connection in the name of the erstwhile owner, viz. Kamalanathan was disconnected, the Petitioner made an Application to the 1st Respondent on 14.09.2021 seeking to provide domestic electricity service connection in his name. Though his Application was acknowledged, no action is taken on the same. Hence, having no other alternative, the Petitioner is before this Court with the above Writ Petition.

3. Learned counsel for the Petitioner submitted that, this Court may issue a direction to the 1st Respondent to consider the Petitioner's Application dated 14.09.2021 within a stipulated period.

4. Learned Standing Counsel appearing for the 1st Respondent submitted that, the Petitioner has encroached the road belonging to Chennai Corporation and hence, his Application seeking electricity service connection will be considered, only if it is in accordance with Clause 27(2) of the Tamil Nadu Electricity Distribution Code, 2004.

5. Considering the facts and circumstances of the case and taking note of the submissions of the learned counsel on either side, this Court directs the 1st Respondent herein to consider the Petitioner's Application dated 14.09.2021 only if he satisfies the requirements under Clause 27(2) of the Tamil Nadu Electricity Distribution Code, 2004. Upon satisfaction of the same, the 1st Respondent shall pass appropriate orders on the Petitioner's Application within a period of six weeks.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar



To:

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1. The Designated Engineer,
Assistant Engineer,
Operation & Maintenance,
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Chennai.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building, 1st Floor,
Raja Muthiah Road,
Kannappar Thidal,
Periyamedu,
Chennai 600 003.

+lcc to Mr.R.Gopinath, Advocate SR.No.68891

+lcc to Mr.R.Thirumoorthy, Advocate SR.No.68891

+lcc to Mr.L.Jai Venkatesh, Advoate SR.No.68727

W.P.No.21164 of 2021

SMI (CO)
CB(11/01/2022)